

2. Discussion on the removal of difficulties being faced by the unemployed youth due to gross irregularities in Prime Minister's Rozgar Yojana.

SHRI ILIYAS AZMI (SHAHABAD): Mr. Deputy Speaker, Sir, the following items may be included in the next week's agenda:-

The heavy rainfall in the country has shattered the life of the people besides, they have to suffer the loss of livestock worth crores of rupees. The condition of Gujrat and Bihar was very pitiable.

The Union Government is requested to contact the State Governments and help them to face the difficulties in this regard.

SHRI BACHI SINGH RAWAT 'BACHDA' (ALMORA): Mr. Deputy Speaker, Sir, the following items may be included in the next weeks agenda:-

1. The need of immediate launching of central arrangement for distribution of foodgrains and providing additional quota under the Public Distribution System for hilly, inaccessible areas in the country where there is shortage of foodgrains.
2. The need of setting up special courts for hearing of cases relating to corruption and economic offences and their speedy disposal.

[English]

SHRIMATI GEETA MUKHERJEE (PANSKURA): Sir, I would like to inform the House that the hon. Speaker had given us a word of honour that on the 29th July 1997, the 'Women's Reservation Bill' would be there in the List of Business.

12.09 hrs.

[English]

MOTION RE: REPORT OF THE JOINT COMMITTEE
ON THE BROADCASTING BILL, 1997—EXTENSION
OF TIME

SHRI SHARAD PAWAR (BARAMATI): Sir, I beg to move:

"That this House do extend upto the last day of the last week of Winter Session, 1997, the time for presentation of the Report of the Joint Committee on the Broadcasting Bill, 1997."

MR. DEPUTY-SPEAKER: The question is:

"That this House do extend upto the last day of the last week of Winter Session, 1997, the time for presentation of the Report of the Joint Committee on the Broadcasting Bill, 1997."

The motion was adopted

12.10 hrs.

[English]

MOTION RE: FOURTEENTH REPORT OF THE BUSINESS ADVISORY COMMITTEE

THE MINISTER OF TOURISM AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SRIKANTA JENA): I beg to move:

"That this House do agree with the Fourteenth Report of the Business Advisory Committee presented to the House on the 24th July, 1997."

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Fourteenth Report of the Business Advisory Committee presented to the House on the 24th July, 1997."

The motion was adopted.

12.12 hrs.

[English]

OUT-OF-TURN ALLOTMENT OF GOVERNMENT
RESIDENCES (VALIDATION) BILL*

THE MINISTER OF STATE OF THE MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT (DR. U. VENKATESWARLU): I beg to move for leave to introduce a Bill to validate certain out-of-turn allotments made by the Central Government.

MR. DEPUTY-SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to validate certain out-of-turn allotments made by the Central Government."

SHRI ISWAR PRASANNA HAZARIKA (TEZPUR): Sir, I take serious exception to the introduction of this Bill. I feel that the House is not competent to pass the Bill for a number of reasons. There was an understanding in the last Session of Parliament that an Ordinance may have to be issued to validate the accommodation allotted to certain allottees, which were subsequently invalidated by the orders of the hon. Supreme Court. But this was to be confined to only Type III, IV and the lowest categories of employees. But by virtue of this Ordinance, the benefit has been extended right up to Type VII, VIII and the highest categories. That was not the understanding in this House.

Secondly, this Bill should be called 'Convicted Offenders (Exoneration and Acquittal) Act'. The caption given is an euphemism for the caption that I am suggesting. This is palpably and blatantly unconstitutional. It is because of tyrannically, arbitrary decisions of the Executive that the aggrieved people have gone to the Courts with Public

*Published in the Gazette of India Extraordinary, Part II, Section-2 dated 25.7.97.

Interest Litigations. Now they have got certain redressal of their grievances and for this House to negate this, would be totally unfair and unjustified. Therefore, I submit that the Bill should not be allowed to be introduced.

MR. DEPUTY-SPEAKER: I have to say one thing. I have not received any notice from your side. I do not know whether the hon. Speaker has received it or not.

SHRI ISWAR PRASANNA HAZARIKA: No notice is required for this. My submission is that the House is not competent to pass this Bill.

MR. DEPUTY SPEAKER: Mr. Minister, do you have to say anything on this?

[Translation]

SHRIMATI SUSHMA SWARAJ (SOUTH DELHI): Mr. Deputy Speaker, Sir, I am on a point of order that such objections as has been raised by the hon. Members cannot be raised at the time in introduction of the Bill. The introduction of the Bill can be opposed from the legislative competence's point of view. In my opinion the Parliament is fully competent. Please be instrumental in the introduction of the Bill. The hon. members can raise objections at consideration state of the Bill. I shall also like to state at that time only. After that the Government would take any decision. But at the introduction state, the Bill cannot be opposed other than legislative competence issues. Therefore, please, introduce the Bill.

MR. DEPUTY SPEAKER: Actually, he started saying that this House is not competent but said something else later on.

[English]

DR. U. VENKATESWARLU: Sir, as the hon. Member has said.....

MR. DEPUTY-SPEAKER: All right, leave it.

The question is:

"That leave be granted to introduce a Bill to validate certain out-of-turn allotments made by the Central Government."

The motion was adopted.

DR. U. VENKATESWARLU: Sir, I introduce the Bill.

12.14 hrs.

[English]

STATEMENT RE: OUT-OF-TURN ALLOTMENT OF
GOVERNMENT RESIDENCES (VALIDATION)
ORDINANCE

THE MINISTER OF STATE OF THE MINISTRY OF
URBAN AFFAIRS AND EMPLOYMENT (DR. U.

VENKATESWARLU): Sir, I beg to lay on the Table an explanatory statement (Hindi and English versions) showing reasons for immediate legislation by the Out-of-turn Allotment of Government Residence (Validation) Ordinance, 1997.

1. The hon. Supreme Court of India *vide* its Judgement and Order dated the 23rd December, 1996 in Writ Petition (Civil) No. 585 of 1994, directed, *inter alia*, that the out-of-turn allottees who secured Type III and above Government accommodation during the period of 1991-1995, except those whose names were included erroneously, who were given allotment on medical grounds within the existing policy, would face eviction in case their date(s) of priority was not covered. They were also required to pay enhanced licence fee at two or, as the case may be, three times of the normal licence fee for the period of occupation on out-of-turn basis. The hon. Court further directed that alternate accommodation of lower type shall be provided, wherever admissible, only after the enhanced licence fee was deposited within a period of two months of the notice. The Court laid down specific time frame for preparation of revised list of out-of-turn allottees facing eviction/shifting to alternate accommodation and liable to pay enhanced licence fee. This was to be done within two months, i.e. by the 23rd February, 1997 and the allottees liable for eviction/payment of enhanced licence fee were to be served individual notices within thirty days thereafter, requiring them to vacate the premises within ninety days of the notice. Since such notices were issued between the 16th March, 1997 to the 22nd March, 1997 the evictions were to take place from the 23rd June, 1997 onwards.
2. In the wake of the notices issued, a large number of representations were received from various quarters including leaders of almost all political Parties for taking a humanitarian approach in the matter and to save the allottees from eviction. In this context, an All-Parties Meeting of the Leaders of various political Parties in Parliament was held on the 15th May, 1997 in which a unanimous view was taken that such allottees should be saved from eviction.
3. As Parliament was not in Session and immediate action was required to be taken in view of the fact that the date of eviction, i.e., the 23rd June, 1997 was fast approaching, the President was pleased to promulgate the Out-of-turn Allotment of Government Residences (Validation) Ordinance, 1997 (Ord. 14 of 1997) on the 21st June, 1997.